

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-cv-306-FDW**

KERRY ADAM SHINE, JR.,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
CHARLOTTE MECKLENBURG POLICE)	
DEPARTMENT, et al.,)	
)	
Defendants.)	
)	

THIS MATTER is before the Court on a periodic status review of Plaintiff's action filed pursuant to 42 U.S.C. § 1983.

The Complaint passed initial review against Defendants Baswell, Greene, Miranda, and Amos. The Court ordered Plaintiff to fill out and return summons forms for service of process on the Defendants on June 12, 2018. (Doc. No. 10). On August 7, 2018, Plaintiff phoned the Clerk's office stating that he did not receive the summons forms along with the June 12 Order. The Clerk re-mailed summons forms to Plaintiff at his address of record. He has not returned the filled-out summons forms to date.

Plaintiff has failed to comply with the Court's June 12, 2018, Order and it appears that Plaintiff may have abandoned this action. Plaintiff shall file, within **fourteen (14) days** of this Order, updated summons form as required in the Court's June 12, 2018, Order, or shall file a Response to this Order explaining why he has failed to do so. Failure to comply with this Order will result in dismissal and closure of this action without further notice to Plaintiff.

IT IS, THEREFORE, ORDERED that:

- (1) Plaintiff **shall have fourteen (14) days from the date of this Order** in which to either return the filled-out summons forms to the Clerk for service of process on Defendants, or to respond to this Order showing cause for why he has not returned the summons forms to the Clerk for service of process. If Plaintiff fails to respond to this Order, this action will be dismissed without further notice to Plaintiff.
- (2) The Clerk of Court is instructed to mail to Plaintiff a copy of this Order, the June 12 Order, (Doc. No. 10), and a blank summons forms.

Signed: October 11, 2018



Frank D. Whitney
Chief United States District Judge

